IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 1205 of 1995

Between:

Pampana Satyanarayana s/o Pothuraju and Parvathamma,

Aged about 36 years, R/o Visakahapatnam

..... PETITIONER

AND

1. The Sub-Collector, Paderu, Visakhapatnam District,
2. The Mandal Revenue Officer, Chinthapally mandal, Visakhapatnam District,
3. The General Manager, Hindustan Zinc Limited, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction under Article 226 of the Constitution of India in the nature of writ of Mandamus or any other appropriate writ, order or direction directing the respondents not to take any action on the basis of the proceedings No. 3227/94/C, dated 25.10.1994 and to declare the charge sheet No,. PF/41505/VZS/P&A/94, dated 19.11.1994, as illegal and void.

Counsel for the Petitioner: MR.S.PRADEEP KUMAR, Advocate

For the Respondent Nos. 1 and 2 : Govt. Pleader for Revenue

Counsel for the Respondent No.3: MR.K.SRINIVASAMURTHY

The Court made the following :

ORAL ORDER

This Writ Petition is filed challenging the charge sheet No. PF/41505/VZS/P&A/94, dated 19.11.1994 issued by the 3rd respondent-General Manager, Hindustan Zinc Limited, Visakhapatnam District to the effect that the petitioner herein produced a false caste certificate to the effect that he belongs to 'Bhagata' community which comes under Scheduled tribe, but in reality he belongs to 'Sali' community which comes under Backward Community.

Admittedly it is only a charge sheet and in the said charge sheet the petitioner was directed to submit his written explanation within 48 hours from the receipt of the charge sheet. From the record, it is also clear that subsequently the time was extended by one month for submitting his reply. In view of the fact that the impugned proceedings is only a charge sheet and no action has been initiated, I am of the view that this writ petition is misconceived and all the things that are urged before this Court can as well be stated before the authority, who issued the charge sheet.

With the above observations, this writ petition is disposed of. No costs.

4th November, 2004

vp

ASSISTANT REGISTRAR

//True copy//

SECTION OFFICER

To

1. The Sub-Collector, Paderu, Visakhapatnam District,
2. The Mandal Revenue Officer, Chinthapally mandal, Visakhapatnam District,
3. The General Manager, Hindustan Zinc Limited, Visakhapatnam District,
4. 2 C.Cs to Govt. Pleader for Revenue, High Court buildings, Hyderabad (O.U.T.)
5. 2 C.D. copies.